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EXAMINER

TRAN, VINCENT V

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 11/17/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/752,043

Applicant(s)

SCHIER ET AL.

Examiner

vincent v tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (U.S. Patent No. 6,119,084) in view of Gammel et al. (U.S. Patent No. 5,752,231).

Referring to claim 1, Roberts et al. disclose a method for performing speaker verification based on speaker independent recognition of commands, the method comprising:

receiving an utterance from a speaker (col.6, ln.51-52);

identifying a command associated with the utterance by performing speaker independent recognition (SIR) (col.6, ln.53-57); and

verifying the speaker identity by comparing the utterance with the speaker verification template associated with the identified command (Fig.3A, S360).

Roberts et al. do not specifically disclose eliminating a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data.

However, Gammel et al. teach to eliminate a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data (col.2, ln.34-36 and Fig.3, Block 56, 58, 60 and 62).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Roberts et al. with the algorithm, as taught by Gammel et al. to allow a registered user access to the system even without remembering the password in order to save time and power for the system.

Referring to claim 2, Roberts et al. further disclose recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2).

Referring to claim 3, Roberts et al. disclose the method further comprising:  
recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

executing the identified command if the utterance matches the speaker verification template (col.9, ln.26-30 and Fig.3A, S370, S390 and S400).

Referring to claim 4, Roberts et al. disclose the method further comprising:  
prompting the speaker to enter a password if the utterance does not match the

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speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310); and

verifying a speaker identity based on the password (col.3, ln.3-5).

Referring to claim 5, Roberts et al. disclose the method further comprising:

prompting the speaker to enter a password if the utterance does not match the speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

verifying the speaker identity based on the password (col.3, ln.3-5);

recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

executing the identified command(col.9, ln.26-30 and Fig.3A, S370, S390 and S400).

Referring to claim 6, Roberts et al. disclose the method further comprising:

prompting the speaker for a password if the speaker verification template associated with the identified command does not comprise adequate verification data (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310); and

verifying the speaker identity based on the password (col.3, ln.3-5).

Referring to claim 7, Roberts et al. disclose the method further comprising:

Prompting the speaker for a password if the speaker verification template associated with the identified command does not comprise adequate verification data (col.3, ln.11-17 col.7, ln.35-41 and Fig.3A, S450 and S310);

verifying the speaker identity based on the password (col.3, ln.3-5);

recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

repeating the prompting, verifying and recording steps until the speaker verification template associated with the identified command comprises adequate verification data (Fig. 3A, S360 and S370).

Referring to claim 8, Roberts et al. disclose a speaker verification unit, comprising:

a network interface (Fig.1, element #180) operable to couple to a communication network (Fig.1, col.3, ln.66 – col.4, ln.14);

a database coupled to the network interface, the database comprising a plurality of speaker verification templates associated with a plurality of commands (Fig.1, element #150, col.4, ln.15-41); and

a processing module coupled to the network interface (col.4, ln.58-63), the processing module operable to:

receive a command from a speaker (col.6, ln.51-52);

identify the command by performing speaker independent recognition (SIR) (col.6, ln.53-57); and

verify the speaker identity by comparing the identified command with the speaker verification template associated with the identified command (Fig.3A, S360).

Roberts et al. do not specifically disclose eliminating a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data.

However, Gammel et al. teach to eliminate a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data (col.2, ln.34-36 and Fig.3, Block 56, 58, 60 and 62).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the speaker verification unit of Roberts et al. with the algorithm, as taught by Gammel et al. to allow a registered user access to the system even without remembering the password in order to save time and power for the system.

Referring to claim 9, Roberts et al. disclose the speaker verification unit, wherein the processing module is further operable to:

record speaker dependant voice patterns associated with the identified command (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

store the speaker dependent voice patterns in the database to create the speaker verification template associated with the identified command (col.5, ln.24-25 and Fig.2).

Referring to claim 10, Roberts et al. disclose the speaker verification unit further comprising a service interface operable to couple to a server comprising a plurality of services associated with the commands (secure service, Fig.1, element #110).

Referring to claim 11, Roberts et al. disclose the speaker verification unit, wherein the processing module is further operable to:

record speaker dependent voice patterns associated with the identified command (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2);

store the speaker dependent voice patterns in the database to create the speaker verification template associated with the identified command (col.5, ln.24-25 and Fig.2);  
and

access a service associated with the identified command from the server (col.4, ln.50-57).

Referring to claim 12, Roberts et al. disclose the speaker verification unit wherein:  
the database further comprises a password associated with the speaker (col.3, ln.3-5); and

the processing module is further operable to:



prompt the speaker to enter the password if the identified command does not match the speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

compare the entered password with the password stored in the database (it is inherent that to access a system, the entered password must match with the password stored in the database, as mentioned by Roberts et al. (col.1, ln.46-50)); and

verify the speaker identity if the entered password matches the password stored in the database (col.3, ln.11-17).

Referring to claim 13, Roberts et al. disclose the speaker verification unit, wherein:

the database further comprises a password associated with the speaker (col.3, ln.3-5); and

the processing module is further operable to:

prompt the speaker to enter the password if the identified command does not match the speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

compare the entered password with the password stored in the database (it is inherent that to access a system, the entered password must match with the password stored in the database, as mentioned by Roberts et al. (col.1, ln.46-50));

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verify the speaker identity if the entered password matches the password stored in the database (col.3, ln.11-17);

record speaker dependent voice patterns associated with the identified command (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

store the speaker dependent voice patterns in the database to create the speaker verification template associated with the identified command (col.5, ln.24-25 and Fig.2).

Referring to claim 14, Roberts et al. disclose the speaker verification unit, wherein:

the database further comprises a password associated with the speaker (col.3, ln.3-5); and

the processing module is further operable to:

prompt the speaker to enter the password if the identified command does not match the speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

compare the entered password with the password stored in the database (it is inherent that to access a system, the entered password must match with the password stored in the database, as mentioned by Roberts et al. (col.1, ln.46-50));

verify the speaker identity if the entered password matches the password stored in the database (col.3, ln.11-17).

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Referring to claim 15, Roberts et al. disclose the speaker verification unit, wherein:

the database further comprises a password associated with the speaker (col.3, ln.3-5); and

the processing module is further operable to:

prompt the speaker to enter the password if the speaker verification template does not comprise adequate verification data (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

compare the entered password with the password stored in the database (it is inherent that to access a system, the entered password must match with the password stored in the database, as mentioned by Roberts et al. (col.1, ln.46-50));

verify the speaker identity if the entered password matches the password stored in the database (col.3, ln.11-17);

record speaker dependent voice patterns associated with the identified command (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

store the speaker dependent voice patterns in the database to create the speaker verification template associated with the identified command (col.5, ln.24-25 and Fig.2).

Referring to claim 17, Roberts et al. disclose a logic encoded in media (col.4, ln.19-20) for performing speaker verification based on speaker independent recognition of commands and operable to perform the following steps:

receiving an utterance from a speaker (col.6, ln.51-52);  
identifying a command associated with the utterance by performing speaker independent recognition (SIR) (col.6, ln.53-57); and  
verifying the speaker identity by comparing the utterance with the speaker verification template associated with the identified command (Fig.3A, S360).

Roberts et al. do not specifically disclose eliminating a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data.

However, Gammel et al. teach to eliminate a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data (col.2, ln.34-36 and Fig.3, Block 56, 58, 60 and 62).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the program of Roberts et al. with the algorithm, as taught by Gammel et al. to allow a registered user access to the system even without remembering the password in order to save time and power for the system.

Referring to claim 18, Roberts et al disclose the logic encoded in media further comprising:

recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

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executing the identified command if the utterance matches the speaker verification template (col.9, ln.26-30 and Fig.3A, S370, S390 and S400).

Referring to claim 19, Roberts et al. disclose the logic encoded in media further comprising:

prompting the speaker to enter a password if the utterance does not match the speaker verification template (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

verifying the speaker identity based on the password (col.3, ln.3-5);

recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

executing the identified command (col.9, ln.26-30 and Fig.3A, S370, S390 and S400).

Referring to claim 20, Roberts et al. disclose the logic encoded in media further comprising:

prompting the speaker for the password if the speaker verification template associated with the identified command does not comprise adequate verification data (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

verifying the speaker identity based on the password (col.3, ln.3-5);

recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

repeating the prompting, verifying and recording steps until the speaker verification template associated with the identified command comprises adequate verification data (Fig. 3A, S360 and S370).

Referring to claim 21, Roberts et al. disclose an apparatus for performing speaker verification based on speaker independent recognition of commands:

means for receiving an utterance from a speaker (col.6, ln.51-52);

means for identifying a command associated with the utterance by performing speaker independent recognition (SIR) (col.6, ln.53-57); and

means for verifying the speaker identity by comparing the utterance with the speaker verification template associated with the identified command (Fig.3A, S360).

Roberts et al. do not specifically disclose eliminating a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data.

However, Gammel et al. teach to eliminate a prompt for a password if a speaker verification template associated with the identified command includes adequate verification data (col.2, ln.34-36 and Fig.3, Block 56, 58, 60 and 62).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Roberts et al. with the

algorithm, as taught by Gammel et al. to allow a registered user access to the system even without remembering the password in order to save time and power for the system.

Referring to claim 22, Roberts et al disclose the apparatus further comprising:  
means for recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

means for executing the identified command if the utterance matches the speaker verification template (col.9, ln.26-30 and Fig.3A, S370, S390 and S400).

Referring to claim 23, Roberts et al. disclose the apparatus further comprising:  
means for prompting the speaker for a password if the speaker verification template associated with the identified command does not comprise adequate verification data (col.3, ln.11-17 and col.7, ln.35-41 and Fig.3A, S450 and S310);

means for verifying the speaker identity based on the password (col.3, ln.3-5);

means for recording speaker dependent voice patterns associated with the utterance to create the speaker verification template (col.6, ln.26-28; col.7, ln.57 – col.8, ln.5 and Fig.2); and

means for repeating the prompting, verifying and recording steps until the speaker verification template associated with the identified command comprises adequate verification data (Fig. 3A, S360 and S370).

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3. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. in view of Gammel et al. further in view of Tatchell et al. (U.S. Patent No. 6,160,877).

The combination of Roberts et al. with Gammel et al. do not specifically disclose a speaker verification unit, wherein the command is selected from the group consisting essentially of call, store, access, forward, or redial.

However, Tatchell et al. teach a command is selected from the group consisting essentially of call, store, access, forward, or redial (Table.1 and col.14, ln.36-39). for a purpose of helping the system easy to understand user commands for telephone services.

Combining Tatchell et al.'s teaching with Roberts et al. allows a speaker verification unit to recognize and understand user commands for telephone services.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the unit of Roberts et al. with can selected command from the group consisting essentially of call, store, access, forward, or redial, as taught by Tatchell et al. in order to reduce time for recognizing user's command.

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to



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applicant's disclosure Transue et al. (U.S. Patent No. 6,275,792) teach a system which utilizes voice recognition and playback technology to allow each user to establish and maintain an audible list of biller names.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner Vincent V. Tran whose E-mail address:

Vincent.tran@USPTO.GOV.

Phone number: (703) 305-1817

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Talivaldis Ivars Smits, can be reached on (703) 306-3011.

Any inquiry of a general nature or relating to the status of this application, please call receptionist at (703) 305-3900.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9314

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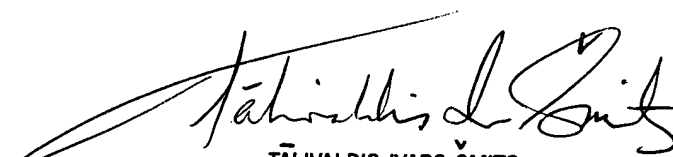
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Dr,  
Arlington VA, Sixth Floor (Receptionist, Tel. No. 703-305-4700).

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VINCENT V. TRAN



Date: November 10, 2003



TĀIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER